

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

DERRICK MYRON LLOYD	)	
a.k.a., Rashad Abdul Hamid	)	
# 11A2684	)	
	)	Case No. 2:08-cv-419 MEF
v.	)	(WO)
	)	
DAVID T. MARSHALL. <i>et. al.</i>	)	

**ORDER**

This cause is before the Court on Plaintiff's "Motion for Permission to File an Interlocutory Appeal," Doc. #84, as to the Magistrate Judge's order denying Plaintiff's "Motion to Amend and File a Permanent Injunction." Doc. #82. The Magistrate Judge construed plaintiff's motion for an interlocutory appeal as a Notice of Appeal, which was then passed on to the Eleventh Circuit. The Eleventh Circuit dismissed Plaintiff's appeal *sua sponte*, Doc. #87, because the Magistrate Judge's order was not final and appealable and had not been adopted by this Court. *Id.* This Court now construes Plaintiff's "Motion for Permission to File an Interlocutory Appeal" as an objection to the Magistrate Judge's order denying Plaintiff's motion to amend. Doc. #83.

In accordance with Federal Rule of Civil Procedure 72(a), this Court has reviewed Plaintiff's objection, the Magistrate Judge's Order, and Plaintiff's original motion. In the Order in question, the Magistrate Judge has set forth an appropriate factual and legal basis for his decision to deny Plaintiff's request to amend his original complaint to include a request for a permanent injunction. This Court finds that the Magistrate Judge's Order is

neither clearly erroneous, nor contrary to law. *See* Fed. R. Civ. P. 72(a).

For the reasons stated above, Plaintiff's objection to the Magistrate Judge's Order, Doc. #84, is OVERRULED. It is further ORDERED that this case is hereby REFERRED back to the Magistrate Judge for further proceedings.

DONE this the 21<sup>st</sup> day of September, 2011.

/s/ Mark E. Fuller  
UNITED STATES DISTRICT JUDGE